

April 26, 2002

Public Notice for 401 Certification

Construction of 78 Apartment Units on a 6.3-acre Parcel at 200 and 250 Bicentennial Way, Santa Rosa, California Sonoma County

On February 4, 2002 the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Michael Josselyn on behalf of Opus West Corporation requesting Water Quality Certification pursuant to administrative regulations and the Clean Water Act Section 401.

The application proposed the discharge of 2,130 cubic yard of clean fill to 0.32 acres of seasonal wetlands. The fill will be obtained on-site. The proposed project involves the construction of eight buildings containing 78 apartment units. A former owner has previously graded the site.

The wetlands consist of four shallow basins along the eastern boundary of the site. Italian ryegrass, which is a wetland obligate species, is present on the site. Other wetland plant species are also present on the site. In addition, two plant species indicative of the presence of a vernal pool ecosystem are present. According to the project applicant, no special status plant or wildlife species or their habitats are present on the site. The nearest receiving water is a concrete-lined drainage ditch, which flows into a storm drain, and eventually into Santa Rosa Creek.

Mitigation has been proposed in the form of purchase of off-site creation and restoration credits at the ratio of 1.5:1. The applicant has proposed purchasing 0.3 acres of creation credits, and 0.2 acres of restoration credits. In addition, the applicant will make a donation of \$52,300, which is the Laguna de Santa Rosa Foundation's (Foundation) estimated cost for restoration of 1.0 acre of seasonal wetland habitat, as additional mitigation.

An application for Army Corps of Engineers (Corps) Nationwide Permit No. 39 was submitted on October 29, 2001, but the Corps has not assigned a file number to the application. The Environmental Impact Report (EIR) for the Yard Birds Home Center development covers this proposed fill project (adopted June 7, 2001 by the City of Santa Rosa, Resolution No. 01-215).

At this point staff at the Regional Water Board is in the process of reviewing the proposed project and addressing the decision regarding the issuance of a Waiver of Waste Discharge Requirements and Water Quality Certification 401 Permit. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Andrew Jensen at (707) 576-2683.